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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,685	02/16/2005	Etienne Dunas	Q83961	4008

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EXAMINER
HO, HUY C

ART UNIT	PAPER NUMBER
2617	

NOTIFICATION DATE	DELIVERY MODE
04/13/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/510,685	DUNAS ET AL.	
	Examiner	Art Unit	
	HUY C. HO	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 January 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 June 2008* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 01/20/2010 have been fully considered but they are not persuasive because the argued features on pages 2-3 of the argument remarks, i.e., Lazaris discloses nothing more than radio or television programming and therefore cannot possibly discloses the monitoring, measurement or data collection system.

The examiner respectfully disagrees because Lazaris teaches a multi beam Digital Broadcast satellite system DBS collects data information from different data sources located on different regions on the global earth, e.g., the central hub station 12, which collects various sources of programming information (see Lazaris, col 5 lines 55-67), the regional programming sources 20, which contain local news and sports information (see Lazaris, col 7 lines 1-14). The on board processing modules of the satellite 10 collects these available information data from the central hub 12 and the regional sources 20 located on various locations on earth, and the satellite 10 transmits information in downlink beams to serviced regions 22, 24, 26, 28 in beams F, H, I, G respectively (see Lazaris, figure 2, col 7 lines 15-20). Therefore, Lazaris discloses that the digital broadcasting satellite system collects data information from different information sources distributed in different locations on earth surface then the satellite transmits the collected information to other receivers in multi-beam downlinks (see Lazaris, figure 2, col 6 lines 33-67, col 7 lines 1-53), therefore Lazaris teaches and discloses the argued limitations, i.e., the monitoring, measurement or data collection system.

On page 2, the argument, i.e., Lazaris cannot possibly disclose either the claimed down-link adapter, or computation center as recited above. While Lazaris-Brunner may disclose "home receivers," the reference makes no disclosure of any anything attached to the home receivers. Furthermore, there is absolutely nothing disclosed as being attached to the home receivers that could be considered a down-link adapter or a computation center, as required by claim 1. In fact, Lazaris- Brunner makes no disclosure of anything concerning the home receivers, except that they receive the signal from the Lazaris-Brunner satellite.

The examiner respectfully disagrees because Lazaris teaches and discloses receivers 16 are located in different locations on earth that are desirous of receiving downloading information from the satellite on downlink beams (see Lazaris, figure 2, col 6 lines 33-67, col 7 lines 1-53), thus Lazaris discloses the receivers are configured to receive digital signal information from the DBS satellite. The argument about the down link adapter connected to the receiver for receiving downlink transmission as claimed in claim 1 reads upon the receivers taught by Lazaris because Lazaris' receivers are configured to receive digital coded data information transmitted from the digital broadcast satellite in down link beams shown in Lazaris, figure 2. The function of the adapter is helping the receiver to receive the downlink transmissions from the direct digital broadcasting satellite system DDBS, and the receivers in Lazaris' teaching are configured to receive down link digital information from the digital broadcasting satellite, therefore, Lazaris teaches and discloses such argued feature.

Page 3, the argument "Lazaris cannot possible disclose a down-link adapter adapted for extracting, from said down-link transmission, said digital channel corresponding only to the said respective computation center".

The examiner respectfully disagrees because Lazaris teaches because as discussed above for argument on page 2 for the adapter connected to the receiver, the examiner applies the same response for the argument about the adapter adapted for extracting digital channel from the downlink transmissions only to respective computation center, that first, Lazaris teaches and discloses receivers are configured to receive digital coded data information transmitted from the digital broadcast satellite in down link beams shown in Lazaris, figure 2, and the function of the adapter in claim 1 is for helping the receiver to receive the downlink transmissions from the direct digital broadcasting satellite system DDBS. Functionally, the receivers in Lazaris' teaching are configured to receive down link digital information from the digital broadcasting satellite, therefore, Lazaris teaches and discloses such argued feature. Secondly, Lazaris teaches the satellite receives uplink transmissions from different data collecting sources 12, 20 (see Lazaris, figure 2, col 6 lines 33-67, col 7 lines 1-15), then the satellite transmits the information to desirous receivers 16 in different downlink beams respectively as shown in figure 2, col 6 lines 33-67, col 7 lines 1-15. Therefore, Lazaris discloses the argued features,

i.e., a down-link adapter adapted for extracting, from said down-link transmission, said digital channel corresponding only to the said respective computation center.

Claim 14's argument is similar to the argument for claim 1, therefore the same response for the argument of claim 1 as discussed above is applied for claim 14.

As such, the argued features were written such that they read upon the cited reference.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by **Lazaris-Brunner et al. (US 6,498,922)**.

Consider claim 1, (Previously Presented) Lazaris-Brunner teaches a satellite-based monitoring, measurement or data collection system (*see Lazaris-Brunner, the abstract*), comprising:

a monitoring, measurement or data collection system having a plurality of monitoring stations (4) for remote monitoring, measurement or data collection and for providing data, to respective computation centers (3) (*see Lazaris-Brunner, figure 2, col 7 lines 1-55, regional programming resources 20 collect and transmit data to the satellite 10 which provides programs to receivers 16 based on the receivers' interest/requests*); and

a satellite system using at least one satellite (2) having an on-board processor for multiplexing up-link data received and broadcasting said multiplexed data in a down-link transmission (*see Lazaris-Brunner, col 3 lines 25-55, col 6 lines 33-67, col 7 lines 1-55),* wherein:

said up-link data received by said satellite (2) comprises a digital channel corresponding to a respective one of said computation centers (3) (*see Lazaris-Brunner, the abstract, col 7 lines 1-55*);

said respective computation center (3) is connected to a down-link adapter (7) connected to a receiver or group of receivers (6) (*see Lazaris-Brunner, the abstract, col 7 lines 1-55, each respective receiver 16 is able to receive programs at its interest or its request);* and

said down-link adapted for extracting, from said down-link transmission, said digital channel corresponding only to the said respective computation center (3) (*see Lazaris-Brunner, the abstract, col 7 lines 1-55, each respective receiver 16 is able to receive programs at its interest or its request*).

Consider claim 14, (Previously Presented) Lazaris-Brunner teaches a method for interconnecting elements of a monitoring, measurement or data collection using a satellite system (*see Lazaris-Brunner, the abstract*), comprising:

remote monitoring, measurement or data collection by means of a plurality of monitoring stations (4) and providing data to respective computation centers (3) (*see Lazaris-Brunner, figure 2, col 7 lines 1-55, regional programming resources 20 collect and transmit data to the satellite 10 which provides programs to receivers 16 based on the receivers' interest/requests*); and

at least one satellite (2) of said system multiplexing up-link data by means of an on-board processor and broadcasting said multiplexed data in down-link transmission (*see Lazaris-Brunner, col 6 lines 33-67, col 7 lines 1-55*);

transmitting a digital channel in said up-link data to said satellite (2), said channel corresponding to a respective computation center (3), said computation center (3) being connected to a down-link (7) connected to a satellite receiver or a group of satellite receivers (6) (*see Lazaris-Brunner, figure 2, col 7 lines 1-55, regional programming resources 20 collect and transmit data to the satellite 10 which provides programs to receivers 16 based on the receivers' interest/requests*); and

extracting from said down-link transmission, by said down-link, only said digital channel

corresponding to the respective computation center (3) (*see Lazaris-Brunner, figure 2, col 7 lines 1-55, regional programming resources 20 collect and transmit data to the satellite 10 which provides programs to receivers 16 based on the receivers' interest/requests*).

Consider claim 2, (Original) A system according to claim 1, Lazaris-Brunner teaches wherein each of said monitoring stations (4) is connected through an up-link adapter (5) to the satellite up-link broadcasting station (1) (*see Lazaris-Brunner, figure 2, col 7 lines 1-55, regional programming resources 20 collect and transmit data to the direct broadcasting satellite 10).*

Consider claim 3, (Previously Presented) A system according to claim 1, Lazaris-Brunner teaches wherein said satellite system is a digital direct broadcast satellite system (*Lazaris-Brunner, col 3 lines 30-55, col 4 lines 40-67).*

Consider claim 4, (Previously Presented) A system according to claim 1, Lazaris-Brunner teaches wherein at least one of said monitoring stations (4) has at least one channel from the up-link transmission allocated thereto (*see Lazaris-Brunner, figure 2, col 7 lines 1-55, regional programming resources 20 collect and transmit data to the direct broadcasting satellite 10).*

Consider claim 5, (Original) A system according to claim 4, Lazaris-Brunner teaches wherein several remote channels, or several monitoring stations (4) are grouped together using sub-multiplexing channel capabilities of said digital direct broadcast satellite system (*Lazaris-Brunner, col 3 lines 30-55, col 4 lines 40-67*).

Consider claim 6, (Previously Presented) A system according to claim 1, Lazaris-Brunner teaches wherein a monitoring station (4) has a receiver for synchronizing message transmission using data extracted from said down-link channel multiplex content (*Lazaris-Brunner, col 6 lines 33-67, a hub station communicates with other program sources).*

Consider claim 7, (Previously Presented) A system according to claim 1, Lazaris-Brunner discloses wherein time and/or date is broadcast to said down-link adapters (7), and optionally to said digital direct broadcast satellite receivers (6) (*Lazaris-Brunner, col 7 lines 1-55, receivers receive program data such as news, sports information, regional program data from sources).*

Consider claim 8, (Original) Lazaris-Brunner teaches a down-link adapter for extracting at

least one channel from a down-link transmission as claimed in claim 1 (*Lazaris-Brunner, col 3 lines 10-55, col 7 lines 1-13).*

Consider claim 9, (Original) Lazaris-Brunner teaches a down-link adapter according to claim 8 for converting data framing from said satellite down-link data channel rate to message format and/or converting data rate to rate adapted to a cyclic data rate of said monitoring, measurement or data collection system (*Lazaris-Brunner, col 3 lines 10-55, col 7 lines 1-13).*

Consider claim 10, (Previously Presented) Lazaris-Brunner teaches a down-link adapter according to claim 8 wherein said down-link adapter provides data to another adapter connected to a monitoring station (4) (*Lazaris-Brunner, col 3 lines 10-55, col 7 lines 1-13).*

Consider claim 11, (Original) Lazaris-Brunner teaches an up-link adapter for converting signals received from a monitoring station (4) of a monitoring, measurement or data collection system, into signals suitable for digital up-link transmission as claimed in claim 2 (*Lazaris-Brunner, col 3 lines 10-55, col 7 lines 1-13).*

Consider claim 12, (Original) Lazaris-Brunner teaches an up-link adapter according to claim 11 for converting data message format from said monitoring station (4) to an up-link format of said satellite system and/or converting data rate to an uplink rate adapted to said satellite system (*Lazaris-Brunner, col 3 lines 10-55, col 7 lines 1-13).*

Consider claim 13, (Previously Presented) Lazaris-Brunner teaches an up-link adapter according to claim 10 wherein said up- link adapter (5) receives data from another adapter such as a down-link adapter (7) (*Lazaris-Brunner, col 3 lines 10-55, col 7 lines 1-13).*

Consider claim 15, (Original) Lazaris-Brunner teaches a method according to claim 14 wherein said up-link broadcasting station (1) performs up-link broadcasting of data received from an up-link adapter (5) connected thereto (*see Lazaris-Brunner, figure 2, col 7 lines 1-55, regional programming resources 20 collect and transmit data to the satellite 10 which provides programs to receivers 16 based on the receivers' interest/requests*).

Consider claim 16, (Previously Presented) Lazaris-Brunner teaches a method according to claim 14 wherein said satellite system is a digital direct broadcast satellite system (*Lazaris-Brunner,*

col 3 lines 30-55, col 4 lines 40-67).

Consider claim 17, (Original) Lazaris-Brunner teaches a method according to claim 14 wherein said broadcasting of the multiplexed data in down-link transmission is performed in time division multiplexing, TDM mode (*Lazaris-Brunner*, **col 3 lines 10-16).**

Consider claim 18, (Original) Lazaris-Brunner teaches a method according to claim 14 wherein marker indexing is used in said down-link transmission as a synchronization signal (*Lazaris-Brunner, col 8 lines 25-27).*

Consider claim 19, (Original) Lazaris-Brunner discloses a method according to claim 18 wherein said synchronization is also used for sub-multiplexing up-link channels transmission (**col 2 lines 10-47).**

Consider claim 20, (Original) Lazaris-Brunner discloses a method for interconnecting adapters (5; 7) as in claim 13, wherein data is returned from a down-link adapter (7) to an up-link adapter (5) transferring time information and/or data information between said adapters (5; 7) (*Lazaris-Brunner, col 7 lines 1-55, receivers receive program data such as news, sports information, regional program data from sources).*

Consider claim 21, (Previously Presented) Lazaris-Brunner discloses a method for use in the adapter of claim 12 wherein a data message is delayed before being put into a next frame generated at a digital direct broadcast satellite channel rate, using a frame produced faster than needed by the rate of monitoring, measurement or data collection, thus giving rise to a so-called marker frame carrying data such as timing data (*Lazaris-Brunner, col 5 lines 55-67, col 6 lines 1-33, data information is transmitted via different channels, being multiplexed in to bit streams with different data rates received at the digital broadcast satellite, being amplified and transmitted to downlinks).*

Consider claim 22, (Previously Presented) Lazaris-Brunner discloses a method for use in the adapter of claim 8 wherein data related to time and/or date is/are broadcast through a digital direct broadcast satellite system and wherein a frame received at a digital direct broadcast satellite channel rate, is converted into a message at a monitoring, measurement and data collection rate with the exception of a marker frame carrying data such as timing data (*Lazaris-Brunner, col 7 lines 1-55, receivers receive program data such as news, sports information, regional program data from*

sources).

Consider claim 23, (Original) Lazaris-Brunner discloses A method according to claim 22 wherein said timing data is used for evaluating transit time or for providing time to any other unit connected thereto such as a display (*Lazaris-Brunner, col 7 lines 1-67).*

Consider claim 24, (Original) Lazaris-Brunner discloses A method according to claim 23 wherein a transit time of a message from a time instant it is transmitted from an up-link adapter until a time instant it is received by a down-link adapter through a digital direct broadcast satellite is evaluated (*Lazaris-Brunner, col 7 lines 1-67).*

Consider claim 25, (Original) Lazaris-Brunner discloses A method according to claim 13 wherein a computation center (3) broadcasts through a digital direct broadcast satellite, to said monitoring stations (4) by means of an up-link adapter (5) incorporated therein and a monitoring station (4) having a down-link adapter (7) detects a channel specifically addressed thereto, providing data to said monitoring station, said data being usable for implementing a unicast, multicast or broadcast addressing scheme (*Lazaris-Brunner, col 6 lines 33-67, col 7 lines s 1-* 67, source stations, digital broadcasting satellite communicate and broadcasts programs to receiving stations via different channels).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY C. HO whose telephone number is (571)270-1108. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Huy C Ho/
Examiner, Art Unit 2617

/Patrick N. Edouard/
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